

SENATE BILL 1089  
By Fowler

AN ACT to amend Tennessee Code Annotated, Title 37; Title 38  
and Title 39, relative to sexual offenses committed against  
children.

WHEREAS, the persistent problem of teen pregnancy has plagued the people of  
Tennessee with grave social, economic, and personal consequences; and

WHEREAS, the general assembly takes notice of the fact that the great majority of  
unmarried teen pregnancies are the result of statutory rape, wherein the perpetrator is an adult  
male who takes advantage of the youth and emotional vulnerability of his victim; now, therefore,  
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-602(a)(3), is amended by  
adding the following language as a new item (E):

For the purposes of reporting statutory rape in accordance with the provisions of  
this act, "child sexual abuse" also means the commission of an act specified in  
subdivision (a)(3)(B)(x) against a minor under the age of eighteen (18).

SECTION 2. Tennessee Code Annotated, Section 37-1-602(a)(3)(B), is amended by  
adding the following language:

(x) Statutory rape under section 39-13-506.

SECTION 3. Tennessee Code Annotated, Section 37-1-403(g), is amended by deleting the subsection in its entirety and substituting instead the following:

(g) Every physician or other person who makes a diagnosis of, or treats, or prescribes for a minor with any sexually transmitted disease required to be reported pursuant to title 68, chapter 10, part 1, and every superintendent or manager of a clinic, dispensary, or charitable or penal institution, in which there is a case of any such sexually transmitted disease in a minor, shall report the case immediately, in writing on a form supplied by the department of health to that department. The department shall report such information to the department of children's services to investigate for possible sexual abuse, including statutory rape. The department of children's services shall be responsible for any necessary follow-up.

SECTION 4. Tennessee Code Annotated, Section 38-1-302, is amended by deleting the section in its entirety and substituting instead the following:

38-1-302. If, during any treatment or examination of any child, a determination is made that such child is pregnant, the doctor, physician, surgeon, health care provider, or other person examining or treating the child or diagnosing the condition shall report the case immediately, in writing on the form supplied by the department of health pursuant to the provisions of § 37-1-403(g) to the department of children's services. The department of children's services shall be responsible for any necessary follow-up.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.